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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,589	06/30/2004	Stefan Clauss	2893	4763

7590 06/20/2007
Striker Striker & Stenby
103 East Neck Road
Huntington, NY 11743

EXAMINER

BENSON, WALTER

ART UNIT	PAPER NUMBER
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2858

MAIL DATE	DELIVERY MODE
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06/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/500,589	CLAUSS ET AL.	
	Examiner	Art Unit	
	Walter Benson	2858	

All participants (applicant, applicant's representative, PTO personnel):

(1) Walter Benson. (3)_____.

(2) Mr. Zborovski, Reg. No. 28,563. (4)_____.

Date of Interview: 11 June 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1 and 6.


Identification of prior art discussed: _____.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


WALTER BENSON, PHD, P.E.
PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant's representative inquired about the 101 rejection to claims 1 and 6 in Final Office Action mailed 6/01/07. Examiner pointed out that claims 1 and 6 refer to an algorithm that performs a number of steps in the claimed elements. An algorithm is not within one of the statutory categories of invention and as such is drawn to a judicial exception. A judicial exception requires a physical transformation or a useful, concrete and tangible result to be patent eligible.